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PATENT, TRADEMARK, COPYRIGHT  
 AND UNFAIR COMPETITION LAW  
 AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
 TRUMAN A. HERRON 1935-1976  
 EDWARD B. EVANS 1936-1971

JUL 06 2005

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July 6, 2005

**FACSIMILE COVER SHEET**

To: Examiner Jennifer N. To  
 Art Unit 2195  
 Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of  
 Facsimile Transmission (1 page)  
 Transmittal containing Certificate of  
 Facsimile Transmission (2 pages)  
 Amendment and Response (13 pages)

From: Douglas A. Scholer  
 Reg. No. 52,197

Re: U.S. Patent Application  
 Serial No. 10/022,982  
 Filed: December 17, 2001  
 Applicant: William Joseph  
 Armstrong et al.  
 Art Unit: 2195  
 Confirmation No.: 4230  
 Our Ref: IBM/195

Pages: 16 (including cover sheet)

**MESSAGE/COMMENTS  
 OFFICIAL**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (16 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Jennifer N. To, Art Unit 2195, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on July 6, 2005.

*Judith L. Volk*  
 Judith L. Volk

*July 6, 2005*  
 Date

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**PATENT**  
Att'y Docket No. IBM/195/124  
Confirmation No. 4230

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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*Judith L. Volk*  
Judith L. Volk

*July 6, 2005*  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William Joseph Armstrong et al.	Art Unit: 2195
Serial No.: 10/022,982	Examiner: Jennifer N. To
Filed : December 17, 2001	
For : DYNAMIC DIAGNOSTIC PROGRAM FOR DETERMINING THREAD WAIT TIME	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is an Amendment and Response.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
  - ☐ Enclosed is a verified statement to establish Small Entity status
  - ☒ Other than a Small Entity
3. The fee has been calculated as shown below:

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	39	minus	39	0	\$50	\$0.00
Independent Claims	4	minus	4	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
<b>TOTAL FEE FOR CLAIMS:</b>						<b>\$0.00</b>

- ☒ No additional fee for claims is required.

Page 1 of 2  
Serial No. 10/022,982  
Transmittal for Amendment of July 6, 2005  
IBM Docket: ROC920010097US1  
WH&E IBM/195  
K:\q\195\Amendment Transmitted re 4-4-05 QA.wpd

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.
5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request: \$\_\_\_\_\_

Method of Payment: \_\_\_\_\_

Check enclosed in the amount of \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.
- OR**
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: \_\_\_\_\_

Douglas A. Scholer  
 Reg. No. 52,197

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 441 Vine Street  
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PATENT

IBM/195  
Confirmation No. 4230**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: William Joseph Armstrong et al.      Art Unit: 2195  
Serial No.: 10/022,982      Examiner: Jennifer N. To  
Filed: December 17, 2001      Atty. Docket No.: IBM/195  
For: DYNAMIC DIAGNOSTIC PROGRAM FOR DETERMINING THREAD  
      WAIT TIME

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**AMENDMENT AND RESPONSE**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated April 6, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.

Page 1 of 13  
Serial No. 10/022,982  
Amendment and Response dated July 6, 2005  
Reply to Office Action of April 6, 2005  
IBM Docket ROC920010097US1  
WH&E IBM/195  
K:\ibm\195\Amendment and Response re 4-6-05 OA.wpd